

## RESOLUTION NO. R2021-19

### A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AUTHORIZING THE SUBMISSION OF A JOINT APPLICATION WITH PEDERNALES ELECTRIC COOPERATIVE INC., FOR AMENDMENT OF CERTIFICATE OF CONVENIENCE AND NECESSITY FOR SERVICE AREA BOUNDARIES AND RESCINDING RESOLUTION R2020-55.

**Whereas**, Whereas Section 37.051 of the Texas Public Utility Act provides an electric utility or other person may not provide electric service to the public unless they first obtain from the Public Utility Commission of Texas (PUCT) a certificate (CCN) that states the public convenience and necessity requires, or will require the installation, operation, or extension of the service; and

**Whereas**, the City and Pedernales Electric Cooperative, Inc. (PEC) were each issued a CCN to serve specific geographical areas within the City's corporate limits; and

**Whereas**, City Council and PEC Board of Directors find it mutually beneficial; and beneficial to their service customers to amend the CCN service area boundaries to allow the City serve certain customers currently within the PEC CCN and allow PEC serve certain customers currently within the City CCN; and

**Whereas**, all affected customers either have, or shall before the submission of an application to the PUCT, signed an affidavit affirming their consent to the amendment to CCN boundaries; and

**Whereas**, the purpose of this Resolution, inter alia, is to memorialize City Council's intent to delegate to the City Manager all authority necessary to facilitate the submission of application for CCN amendment; and

**Whereas**, the exchange of service area described in previously approved Resolution R2021-55 was not mutually agreed upon with PEC.

**NOW THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section 1. Findings.** The recitals to this Resolution are incorporated herein for all purposes.

**Section 2 CCN Amendment Application Authorized.** The City Manager is hereby authorized and directed to coordinate with his counterpart at the PEC to facilitate the co-submission of an application for Amendment of Certificate of Convenience and Necessity for Service Area Boundaries to the PUCT, which would authorize: (i) the release from PEC to the City certain electric service area located south of State Hwy 29 and east of US Hwy 281; and (ii) the release from the City to the PEC certain electric service areas located north of State Hwy 29 and west of US Hwy 281 along CR 108 as depicted in the attached map. The City Manager is further authorized and directed to prepare and

execute such ancillary documents and take such actions reasonably necessary to facilitate the purpose of this Resolution.


**Section 3. Resolution Rescinded.** Resolution R2020-55 is hereby rescinded and replaced by this Resolution.

**Section 4. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, as modified by the governor's orders in response to the COVID-19 pandemic.

**Section 5. Effective Date.** This resolution shall take effect immediately upon its passage, and approval as prescribed by law.

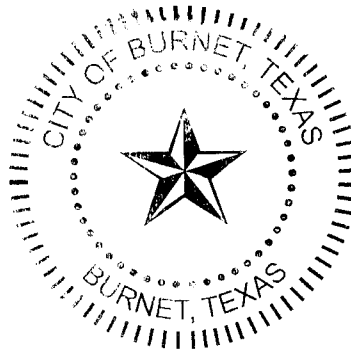
**PASSED AND APPROVED** this the 13<sup>th</sup> day of April, 2021.

**CITY OF BURNET, TEXAS**

  
Crista Goble Bromley, Mayor

**ATTEST:**

  
Kelly Dix, City Secretary





122.5 ACRES

37 1/2 ACRES

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